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10 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
11 **STATE OF CALIFORNIA**

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13 In the Matter of the Accusation Against:

Case No. VN 2006-2061

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15 **JOHN CANNON, aka**
JOHN VERNON CANNON, JR.
7005 Mountainside Drive
Citrus Heights, California 95621

A C C U S A T I O N

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17 Vocational Nurse License No. VN 116339

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Respondent.

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Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") alleges:

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PARTIES

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22 1. Complainant brings this Accusation solely in her official capacity as the
Executive Officer of the Bureau of Vocational Nursing and Psychiatric Technicians, Department
23 of Consumer Affairs ("Bureau").

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License History

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26 2. On or about August 18, 1983, the Bureau issued Vocational Nurse License
Number VN 116339 ("License") to John Vernon Cannon ("Respondent"). The License was in
27 full force and effect at all times relevant to the charges brought herein and will expire on April
28 30, 2009, unless renewed.

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(1) In the event that any board, as defined in Section 477, becomes inoperative or is repealed in accordance with the act that added this section, or by subsequent acts, the Department of Consumer Affairs shall succeed to and is vested with all the duties, powers, purposes, responsibilities and jurisdiction not otherwise repealed or made inoperative of that board and its executive officer.

4. Code section 150 states: "The department is under the control of a civil officer who is known as the Director of Consumer Affairs."

6. Code section 118, subdivision (b), states, in pertinent part, that the expiration of a license shall not deprive the Bureau jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. Under Code section 2892.1, the Bureau may renew an expired license at any time within four years after the expiration.

tion 2878 states, in pertinent part:

The Bureau may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, § 2840, et seq.)] for any of the following:

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1 8. Code section 2878.6 states, in pertinent part:

2 A plea or verdict of guilty or a conviction following a plea of nolo
3 contendere made to a charge substantially related to the qualifications,
4 functions and duties of a licensed vocational nurse is deemed to be a
5 conviction within the meaning of this article. . . irrespective of a
6 subsequent order under the provisions of Section 1203.4 of the Penal Code
7 allowing such person to withdraw his plea of guilty . . . , or setting aside
8 the verdict of guilty, or dismissing the accusation, information or
9 indictment.

10 **COST RECOVERY**

11 9. Code section 125.3 provides, in pertinent part, that the Bureau may
12 request the administrative law judge to direct a licentiate found to have committed a violation or
13 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
14 and enforcement of the case.

15 **CAUSE FOR DISCIPLINE**

16 **(Criminal Conviction)**

17 10. Respondent has subjected his license to disciplinary action under Code
18 section 2878, subdivision (f), in that on or about September 25, 2007, in the Superior Court of
19 California, County of Sacramento, in the case entitled, *People of the State of California v.*
20 *John Vernon Cannon, Jr.* (Super. Ct. Sacramento County, 2007, Case No. 07F02566),
21 Respondent was convicted on his plea of nolo contendere of violating Penal Code section 417,
22 subdivision (a)(2) (Drawing, Exhibiting, or Using Firearm or Deadly Weapon) with admissions
23 to Penal Code section 1203.095 (Presumptive Minimum Jail Time), a misdemeanor. The
24 circumstances of the crime are that on or about March 8, 2007, he did unlawfully draw and
25 exhibit a firearm in a rude, angry, and threatening manner, in the presence of another person, to
26 wit: JL. Such crime is substantially related to the functions, qualifications, and duties of a
27 licensed vocational nurse.

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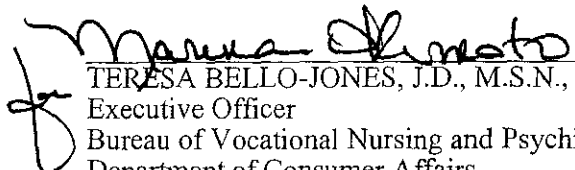
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director of Consumer Affairs issue a decision:

1. Revoking or suspending Vocational Nurse License Number VN 116339 issued to John Vernon Cannon;
2. Ordering John Vernon Cannon to pay the Bureau the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: August 5, 2008


TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Bureau of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant